

Dated: 9/23/2005

From: Stanley Donald, #w66438, K-2, #37

TO: Treasurer Of Souza-Baranowski Corr. Ctr.

RE: Court Filing Fee Payments  
#05-11417-WGY, U.S. District Court

Dear Treasurer:

On September 8, 2005, the U.S. District Court ordered me to pay an initial partial filing fee of \$36.66. See (Exhibit "A"). And the remainder of \$213.34 is to be assessed and collected in accordance with 28 U.S.C. § 1915(b)(2).

However, on September 13, 2005, I could only pay \$25.25 on the initial partial filing fee. See (Exhibit "B").

Now the remainder of the fee has changed to \$224.75 which is to be assessed and collected in accordance with 28 U.S.C. § 1915(b)(2) once the account exceeds \$10 in the month of October. See (Exhibit "C").

Therefore, on September 28, 2005, I wish to purchase soap and postage stamps with an anticipated \$10 that my mother will send me soon. If there is a problem with me using the anticipated \$10 to buy soap, and postage stamps. Please notify me.

Thank you very much.

Sincerely,

  
STANLEY L. DONALD, #w66438

TO: Ms. Rebecca Greenberg, Deputy Clerk  
Of The U.S. District Court, File.

In light of the above, Plaintiff's obligation to pay the filing fee attached at the time of filing the Complaint in this Court, and he will not be permitted to avoid the payment of the full filing fee pursuant to the directives of the PLRA.

Accordingly, notwithstanding the dismissal of this action, it is hereby ORDERED:

1. Plaintiff is assessed an initial partial filing fee of \$36.66, pursuant to 28 U.S.C. § 1915(b)(1).
2. The remainder of the fee \$213.34 is to be assessed and collected in accordance with 28 U.S.C. § 1915(b)(2).

Dated: September 8, 2005

/s/ William G. Young  
WILLIAM G. YOUNG  
CHIEF, UNITED STATES DISTRICT JUDGE

Ex. 11

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## Inmate Transaction Report

Date : 20050916 10:57

Commit# : W66438  
 Name : DONALD, STANLEY, ,  
 Inst : SOUZA-BARANOWSKI CORRECTIONAL  
 Block : K2  
 Cell/Bed : 37 / A

SOUZA-BARANOWSKI CORRECTIONAL

Statement From 20050801

To 20050916

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Income	Expense	Income	Expense
Total Transaction before this Period :						\$2,433.09	\$2,351.22	\$0.00	\$0.00		
20050803 16:51	IS - Interest	5038775		SBCC		\$0.41	\$0.00	\$0.00	\$0.00		
20050805 22:30	CN - Canteen	5073094		SBCC	~Canteen Date : 20050805	\$0.00	\$11.73	\$0.00	\$0.00		
20050808 10:23	IC - Transfer from Inmate to Club A/c	5075545		SBCC	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.52	\$0.00	\$0.00		
20050808 10:38	IC - Transfer from Inmate to Club A/c	5075719		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.52	\$0.00	\$0.00		
20050812 22:30	CN - Canteen	5110116		SBCC	~Canteen Date : 20050812	\$0.00	\$25.92	\$0.00	\$0.00		
20050815 12:05	IC - Transfer from Inmate to Club A/c	5112842		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.52	\$0.00	\$0.00		
20050818 10:28	ML - Mail	5135936		SBCC	~DONALD, L.	\$20.00	\$0.00	\$0.00	\$0.00		
20050818 10:28	MA - Maintenance and Administration	5135938		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00		
20050818 14:28	CI - Transfer from Club to Inmate A/c	5136653		SBCC	~baseball league~W66438 DONALD,STANLEY PERSONAL~INMATE BENEFIT - Z1	\$5.00	\$0.00	\$0.00	\$0.00		
20050819 22:30	CN - Canteen	5143102		SBCC	~Canteen Date : 20050819	\$0.00	\$8.61	\$0.00	\$0.00		
20050829 10:21	IC - Transfer from Inmate to Club A/c	5174849		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.06	\$0.00	\$0.00		
20050829 10:21	IC - Transfer from Inmate to Club A/c	5174851		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00		
20050829 10:21	IC - Transfer from Inmate to Club A/c	5174854		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$0.83	\$0.00	\$0.00		
20050829 10:22	IC - Transfer from Inmate to Club A/c	5174857		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.52	\$0.00	\$0.00		
20050829 12:12	CN - Canteen	5176484		SBCC	~Canteen Date : 20050826	\$0.00	\$33.74	\$0.00	\$0.00		
20050829 13:10	ML - Mail	5176983		SBCC	~BESSIE MACDNALD	\$20.00	\$0.00	\$0.00	\$0.00		
20050831 09:12	IC - Transfer from Inmate to Club A/c	5186264		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.29	\$0.00	\$0.00		
20050901 08:19	IC - Transfer from Inmate to Club A/c	5196412		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.06	\$0.00	\$0.00		
20050902 04:39	CN - Canteen	5205708		SBCC	~Canteen Date : 20050901	\$0.00	\$8.28	\$0.00	\$0.00		
20050909 17:12	IS - Interest	5246522		SBCC		\$0.23	\$0.00	\$0.00	\$0.00		
20050912 08:24	IC - Transfer from Inmate to Club A/c	5262333		SBCC	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.06	\$0.00	\$0.00		
20050913 12:03	EX - External Disbursement	5271118	27853	SBCC	~INITIAL FILING FEE~U.S. DISTRICT COURT 05-11417 WGY	\$0.00	\$25.25	\$0.00	\$0.00		
20050913 12:03	MA - Maintenance and Administration	5271120		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00		
						\$45.64	\$127.51	\$0.00	\$0.00		

Balance as of ending date :

Personal S  
 \$0.00 \$0

EX. I "

STEP BY STEP  
May 2002

ATTACHMENT 6  
Page 1

28 USCS § 1915 (2002)

§ 1915. Proceedings in forma pauperis

(a) (1) Subject to subsection (b), any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such [person] prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.

(2) A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.

(3) An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.

(b) (1) Notwithstanding subsection (a), if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect, as a partial payment of any court fees required by law, an initial partial filing fee of 20 percent of the greater of--

(A) the average monthly deposits to the prisoner's account; or

(B) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the complaint or notice of appeal.

(2) After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$ 10 until the filing fees are paid.

(3) In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action or criminal judgment.

(4) In no event shall a prisoner be prohibited from bringing a civil action or appealing a civil or criminal judgment for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee.

Ex. - "